

MINUTES OF THE MEETING FOR THE
NEVADA STATE BOARD OF ATHLETIC TRAINERS (NSBAT)

DATE: **September 19, 2013**

LOCATIONS:

University of Nevada Reno
1664 N. Virginia Street
Mathewson/IGT Knowledge Center
Room #110
Reno, Nevada 89557

University of Nevada Las Vegas
4505 S. Maryland Parkway
Classroom Building Complex
Building B, Room 117
Las Vegas, Nevada 89154

1. Meeting called to order by Chairman, Jim Porter at 9:03 a.m.

Board Members Present: Jim Porter, Tiffney Touton, Rob Conatser (arrived at 9:15 a.m.), Eathan O'Bryant, and Chris Wittorff.

Staff Present: Stacey Whittaker, Executive Secretary; Keith Marcher, Attorney General Representative via teleconference.

Public Present: No members of the public present in Las Vegas or Reno.

2. **Public Comments.** No public comments at this time.

3. **Review and approve minutes of meeting 5/16/2013. (For possible action)**

Jim asks if there are any questions or comments regarding the meeting minutes, there are none. Tiffney Touton motions to approve the 5/16/13 meeting minutes as written, Eathan O'Bryant seconds the motion. Approved 4-0.

4. **Update on disciplinary action reports and investigations of unlicensed activity. (For possible action)** Stacey reports no disciplinary action or reports of unlicensed activity during this quarter. There were no licenses issued or restored during the 2nd quarter. She will have an update at the next board meeting regarding the requirements of the probationary license that was issued in July. There are no further questions or comments.

5. **Review and discuss the 2013 license renewal process. (For possible action)** Stacey reviews the overall renewal process. There were 175 Licensed Athletic Trainers in Nevada at the time of renewal. Twenty three (23) individuals did not renew their license and have confirmed that they are no longer practicing in Nevada. Since that time, one person has reinstated their license and the board has issued twenty five (25) new licenses. There are currently 178 Licensed Athletic Trainers in Nevada. The Board would like to move forward in getting the license renewal process available online and Stacey will look into this in addition to accepting credit card payments. There are no further questions or comments.

6. **Review and discuss the Sunset Subcommittee of the Legislative Commission and their review of the Nevada State Board of Athletic Trainers. (For possible action)** Jim states that there is no new information regarding the review and that the Board should be fine until the next review, possibly ten years from now. Keith says it is a lengthy process and there is nothing to worry about now. Jim states that we had a positive review by the Legislative Commission and the Board can remove this item from future agendas. There are no further questions or comments.

Jim Porter moves to Item #15 on the agenda and would like to hold off on Item #7 until Rob Conatser arrives.

15. **Review and discuss financial status of the Board to include A.B. 179 and the changes to board audit requirements. (For possible action)** Stacey reviews the financial statements that were sent out and the new requirements under A.B. 179. This bill changed the board audit requirements to increase

the revenue threshold for requiring an audit from \$50,000 to \$75,000. Stacey informs the Board that their revenue is still under the \$50,000 threshold so this will not affect them at this time. Also, boards that do not comply with the requirements of NRS 622.100 will be required to file an audit report on or before December 1, 2014. Stacey confirms that the Board has submitted the required reports under 622.100. Jim feels that the Board is still short on investments and would like to see what more we can put in on an annual basis. Stacey will look into the financials for the next meeting, so that the Board can determine an annual investment amount. There are no further questions or comments.

*Rob Conatser present.

7. Review and discuss the 2013 Legislative Session and the review of Bills affecting Athletic Trainers to include: AB456-Advertising/Name Tags for Health Care Providers, AB228-Voluntary Health Care Services, SB453-Epinephrine in Schools, AB286-Emergency Services at Special Events, SB220-Enforcement of Licensing Boards, and SB320-Diabetic Aide in Schools. (For possible action)

AB456 refers to advertising and name tags for Health Care providers. Jim explains that as of January 1st, Health Care Providers must be able to identify themselves which would affect Athletic Trainers. The wallet cards that AT's carry would not suffice as it has to be showing. Rob asks if it is sufficient to identify yourself, Jim says that it requires a name tag and that the Board may need to get this information out to the licensees.

AB228 involves Voluntary Health Care Services and Jim feels that this isn't too applicable to Athletic Trainers. This would involve services to a non-profit group and the registration requirements with the local health district. Tiffney asks if this is strictly non-profit. Jim says it is and anything that is outside the normal practice.

SB453 involves epinephrine in public/private schools and the bill states that each school must maintain two dosages of epinephrine on site. Jim explains that the administration will be directed by the school Nurse or Principle and that it will only affect Athletic Trainers if they are assigned by the school to administer the epinephrine. The school Nurse will be responsible for training and this will only be applicable during school hours.

AB286 refers to emergency services at special events in Nevada. Jim explains that this involves venues and events like Burning Man and doesn't really apply to Athletic Trainers since they work at assigned venues.

SB220 is the enforcement of Licensing Boards and the NSBAT currently enforces their practice act. SB320 involves diabetic aid in our schools, and again the school Nurse will be designated to train and assist in the care of diabetic children during school hours.

There are no further questions or comments regarding the above mentioned bills.

8. Review and discuss the report of recommendations submitted by the Nevada State Board of Athletic Trainers Subcommittee on Pharmaceuticals. Discussion to include the possession/transport of Over the Counter and Behind the Counter medications by the Athletic Trainer. (For possible action) Tiffney explains to the Board that the Subcommittee on Pharmaceuticals recommends following the guidelines set forth by the education programs and scope of practice for Athletic Trainers. If the matter is included in the educational competencies of an Athletic Trainer, then it should be within their scope of practice. Jim asks if the Subcommittee looked at the FDA requirements of Behind the Counter Medications. Rob says that yes they did. Jim feels that these are significantly different than Over the Counter Medications and requires extensive documentation to be used. Rob reiterates that the Subcommittee feels that the way Athletic Trainers are currently practicing is within their scope of practice. Jim asks Keith if the Board makes a recommendation to the Legislature for a change in Administrative Code, do they need to delineate the language between the Physician and the Athletic Trainer. Keith says that assuming the Board has statutory authority to regulate what they are addressing, it will be examined by the LCB. Jim asks if the code should include the current educational competencies, written Physician orders for each medication to include the possession, administration and dispensing of Over the Counter medications. Keith recommends that the Board not do it all at once as it could get confusing. There are a lot of Boards that adopt national standards into their regulations and then the Board can work on specific standards for medications.

Jim tells the Board that he attended the BOC Conference and discussed this topic with several of the Boards. He said that not one of them had addressed the pharmaceutical issue. He asks the Board how they would like to proceed, perhaps with the educational component and then address the Over the Counter medications. Jim feels that prescription medications are not a contentious point at this time. Rob reiterates that it is a matter of looking at the current practice act and the NATA competencies and make the two mesh.

Jim asks if the Board would like to motion to add point #4 from the Subcommittee on Pharmaceutical's recommendation to the Administrative Code. Keith advises the Board that if they agree with the entire Subcommittee recommendation then they move forward to address them all. Jim feels that this is a good starting point for the Board. The Subcommittee recommendations are as follows:

1. The Subcommittee on Pharmaceuticals would like to recommend that the Nevada State Board of Athletic Trainers seek amendment to NRS 639.0125 for the inclusion of Licensed Athletic Trainers.
2. The Subcommittee on Pharmaceuticals would like to recommend to the Nevada State Board of Athletic Trainers, the implementation of protocols and guidelines for Prescription Medications to be written between the Licensed Athletic Trainer and the Directing Licensed Physician such that they are within the educational competencies and scope of practice of the Licensed Athletic Trainer.
3. The Subcommittee on Pharmaceuticals would like to recommend to the Nevada State Board of Athletic Trainers, the implementation of protocols and guidelines for Over the Counter Medications to be written between the Licensed Athletic Trainer and the Directing Licensed Physician such that they are within the educational competencies and scope of practice of the Licensed Athletic Trainer.
4. The Subcommittee on Pharmaceuticals would like to recommend that the Nevada State Board of Athletic Trainers adopt the current educational competencies from the National Athletic Trainers Association in regards to Therapeutic Medications as described therein and subsequent changes thereto.

Rob Conatser motions to accept and move forward with the adoption of the Subcommittee on Pharmaceutical's recommendation into State law. Tiffney Touton seconds the motion. Approved 5-0. Keith advises Stacey to contact a member in his office to work through the process of getting the language to the Legislative Counsel Bureau.

9. **Review and discuss how the Nevada State Board of Athletic Trainers can address bullying of patients and students on social networking sites. (For possible action)** Jim says that this was a topic that came out of the BOC Conference and wanted to make sure that this isn't an issue that needs to be addressed with the Board. The Board does not feel that this is an issue, there are no further questions or comments.

Jim would like to discuss Item #10, 11 and 12 together since they all involve the inspection process and investigations.

10. **Review and discuss the status of Unlicensed, Certified Athletic Trainers in Nevada. (For possible action)**

11. **Review and discuss how the Board can implement an inspection process for both Licensed Athletic Trainers and unlicensed activity at special events held in Nevada. (For possible action)**

12. **Review and discuss whether the Board should consider using an independent Investigator to handle future complaints and investigations. (For possible action)**

Jim asks the Board how they would like to move forward with future complaints and investigations. In the past the Board has used a Board Member to conduct investigations and Jim would like discuss hiring

an outside Investigator. This would eliminate the situation in which a Board Member cannot vote on a decision. The Investigator could be used for unlicensed activity, consumer complaints and site inspections. Jim feels it is a requirement of the board to make a concerted effort to protect the public. Tiffney asks if the Board can afford to hire an outside Investigator. Jim says that we can do like the Physical Therapy Board does and hire them on an as needed basis, there would not be a set retainer. Rob feels that this is a great idea but would like to know what they will focus on. Jim says that there a number of special events coming into Nevada that do not have licensed coverage. The focus would be on the promoter, not the individual as they are required to provide coverage. Rob asks if the Board should be focusing on local events like SYFL and baseball tournaments rather than special events. Jim says that this would require a change in State law and it is not within our power. The Board cannot mandate coverage at High Schools but the NIAA currently “recommends” coverage. Tiffney likes the idea of using an outside Investigator. Rob agrees and recommends checking with the PT Board to discuss using one of their Investigators on a case by case basis. Jim asks Stacey to look into the cost of hiring an outside Investigator and present at the next board meeting. There are no further questions or comments.

13. **Review and discuss having a representative from the Nevada State Board of Athletic Trainers at the Board of Certification Regulatory Conferences. (For possible action)** Jim has attended the last two BOC Regulatory Conferences and the next one is scheduled for 2015. Jim would like to see the Board designate either a Board Member or the Executive Secretary to attend these conferences, we may be a smaller board but we are doing great things. Chris Wittorff motions to designate an attendee at the BOC Regulatory Conferences, Rob Conatser seconds the motion. Approved 5-0.

14. **Review and discuss inquiries received by the Board to include out of state coverage at Nevada tournaments and dry needling by a Licensed Athletic Trainer. (For possible action)** The Board has received a couple of inquiries, one being from a school in Montana who will be hosting a soccer tournament in Las Vegas. They wanted to know if they could bring in their own Licensed Athletic Trainers. Jim says this is fine as long as they meet the same standards that we have. Another issue that came up was dry needling and is a hot topic especially with the Physical Therapists. Tiffney explains that an acupuncture needle is used for trigger points but that it is not called acupuncture. Jim says that if an Athletic Trainer is trained properly and directed by a Physician with a written order then there is nothing that prohibits dry needling. He states that this is for informational purposes only, there are no further questions or comments.

16. **Future agenda items. (For possible action)**

- A. **Review and approve meeting minutes of 9/19/2013.**
- B. **Update on disciplinary action reports and investigations of unlicensed activity.**
- C. **Review and discuss financial status of the Board and amount of money to put into annual investments.**
- D. **Review and discuss information regarding hiring an outside Investigator.**
- E. **Review and discuss moving towards online license renewal and the acceptance of credit cards by the Board.**
- F. **Review and discuss current terms for Board Members.**
- G. **Review and discuss report back on Administrative Code.**
- H. **Review and discuss the possibility of seeking mandated Athletic Trainers at High School sporting events.**

17. **Discussion, possible decision on date of next board meeting. (For possible action)** The next board meeting is scheduled for Thursday January 30th, 2014 at 9:00 a.m.

18. **Public Comments.** There are no public comments at this time.

19. **Meeting adjournment. (For possible action)** Chris Wittorff motions to adjourn the meeting of the Nevada State Board of Athletic Trainers at 10:16 a.m., Rob Conatser seconds the motion.
Approved 5-0.